

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

APR 10 2009

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
DEPUTY

DANIEL PRUETT,)
)
Petitioner,)
)
vs.)
)
PAUL A. KASTNER, Warden,)
)
Respondent.)

No. CIV-09-308-W

ORDER

On March 26, 2009, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this matter and recommended that the Court deny the Motion for Leave to Proceed in Forma Pauperis submitted by petitioner Daniel Pruett. Magistrate Judge Purcell further recommended that the Court dismiss the action without prejudice unless Pruett paid the full filing fee of \$5.00 to the Clerk of the Court by April 15, 2009.

Pruett was advised of his right to object to the Report and Recommendation, and the matter now comes before the Court on Pruett's response, which the Court has construed as a request for additional time to comply with Magistrate Judge Purcell's suggestion that the filing fee be paid by April 15, 2009.

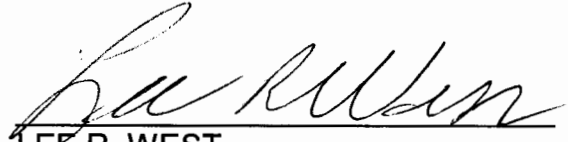
Upon review of the same, the Court

(1) GRANTS Pruett's request for additional time to act in this matter in accordance with Magistrate Judge Purcell's Report and Recommendation;

(2) further GRANTS Pruett until May 1, 2009, to pay the filing fee of \$5.00 in full to the Clerk of the Court; and

(3) ADVISES Pruett that this matter may be dismissed without prejudice if the full filing fee is not paid by that date or if Pruett has failed to show good cause for his failure to pay the full filing fee by such date.

ENTERED this 10th day of April, 2009.


LEE R. WEST
UNITED STATES DISTRICT JUDGE